

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

|                   |   |                          |
|-------------------|---|--------------------------|
| ,                 | ) |                          |
|                   | ) |                          |
| <b>Plaintiff,</b> | ) |                          |
|                   | ) |                          |
| <b>v.</b>         | ) | ____:____-CV- ____ (MTT) |
|                   | ) |                          |
| ,                 | ) |                          |
|                   | ) |                          |
| <b>Defendant.</b> | ) |                          |
| _____             | ) |                          |

**PROPOSED SCHEDULING AND DISCOVERY ORDER**

The parties held a Rule 26(f) conference on \_\_\_\_\_. In accordance with the Court's Rules 16 and 26 Order dated \_\_\_\_\_, \_\_\_\_\_, the parties to this action conferred and jointly developed this Proposed Scheduling and Discovery Order (the "Proposed Order") containing deadlines and limitations as follows:

**I. Nature of the Case:**

*Please include a brief description of the nature of the case and the legal issues to be tried. This summary should not be argumentative nor recite the evidence, but should call the Court's attention to any unique or complex issues or circumstances surrounding the case.*

**II. Counsel of Record:**

The following individually-named attorneys are designated lead counsel for the parties:

*Please include all relevant contact information for each lead counsel or pro se litigant, including mailing address, phone number, facsimile number, and email address.*

**III. Complaint and Answer filing dates:**

Complaint was filed: \_\_\_\_\_

Answer was filed: \_\_\_\_\_

**IV. Discovery Deadlines:**

**A. Time for Discovery**

The time for discovery in this case shall expire \_\_\_\_\_, that being no more than 180 days after the submission of the Proposed Order to the Court.

If a party believes that more time for discovery is needed, an appropriate motion, accompanied by a proposed order for the Court, may be filed setting forth good cause for an extension.

**B. Scope of Discovery**

*Please state the subjects on which discovery may be needed, when discovery should be completed, and whether discovery should be conducted in phases or be limited to or focused on particular issues. See Fed. R. Civ. P. 26(b)(1), (f)(3)(B).*

**C. Electronically Stored Information**

*Please discuss any issues about disclosure, discovery, or preservation of electronically stored information, including the form or forms in which it should be produced. See Fed. R. Civ. P. 16(b)(3)(B)(iii), 26(f)(3)(C).*

**D. Privilege Claims**

*Please discuss any issues about claims of privilege or of protection as trial-preparation materials, including – if the parties agree on a procedure to assert these claims after production – whether to ask the Court to include their agreement in an order under Federal Rule of Evidence 502. See Fed. R. Civ. P. 16(b)(3)(B)(iv), 26(f)(3)(D).*

**E. Witnesses to be Deposed**

*Please include the name and address of every witness to be deposed.*

**F. Expert Witnesses**

The Plaintiff must disclose expert witnesses and provide appropriate expert reports on or before \_\_\_\_\_, that being no more than 90 days after the submission of the Proposed Order to the Court.

The Defendant must disclose expert witnesses and provide appropriate expert reports on or before \_\_\_\_\_, that being no more than 120 days after the submission of the Proposed Order to the Court.

Expert reports shall comply with Federal Rule of Civil Procedure 26(a)(2)(B). Expert reports may not be supplemented without the consent of all parties or leave of Court.

**G. Discovery Limitations or Need for Protective Order**

The parties agree that requests for admission that are propounded solely to authenticate documents as provided for under Federal Rule of Civil Procedure 36(a)(1)(B) are excluded from Local Rule 36's limitation on the number of requests to admit that can be propounded.

*Please include here any other relevant matters, including any matters referenced in Rule 26(f).*

**H. Discovery Disputes**

Before moving for an order relating to discovery, including motions to compel or contested motions for protective orders, the movant must email Kim Tavalero, Courtroom Deputy (Kim\_Tavalero@gamd.uscourts.gov) a brief summary of the dispute. The opposing party may respond. If necessary, the Court will schedule a conference to address the matter.

**V. Time for Filing Motions:**

**A. Motions to Amend the Pleadings or to Join Parties**

All motions seeking to amend the pleadings or to join parties must be filed no later than \_\_\_\_\_, that being no more than 60 days after the entry of this Scheduling and Discovery Order.

**B. Dispositive Motions**

All dispositive motions must be filed no later than \_\_\_\_\_, that being no more than 30 days after the expiration of discovery in this case.

**C. Daubert Motions**

All *Daubert* motions must be filed no later than \_\_\_\_\_, that being no more than 30 days after the expiration of discovery in this case.

**VI. Certification of the Parties and Counsel:**

The Parties, by the signature of counsel below, certify they have conferred and discussed the nature and basis of their claims and defenses and the possibilities for prompt settlement or resolution of the case, pursuant to Local Rule 26(a).

Counsel further certify they have read the Court's Rules 16 and 26 Order. All counsel of record shall digitally sign below.

This \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
Counsel for Plaintiff(s)  
XXX  
xxxxxxxxxxxxxxxxxxxxxx

\_\_\_\_\_  
Counsel for Defendant(s)  
XXX  
xxxxxxxxxxxxxxxxxxxxxx

The Court, having reviewed the information contained in the Proposed Scheduling and Discovery Order completed and filed jointly by the parties to this action, hereby **ADOPTS** the parties' plan and **MAKES IT THE ORDER OF THE COURT**.

**SO ORDERED**, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
MARC T. TREADWELL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT